



8-24-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

De Sloovere, Xavier et al.

Serial No.: 10/613,956

Filed: July 3, 2003

**COMPOSITION FOR
COMBATING/REPELLING INSECTS,
BIRDS, DIRTS AND PARASITES**

Docket No. 33154-CIP1

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

The attached references are being filed to fulfill the duty of candor and good faith toward the Patent and Trademark Office, as required by 37 C.F.R. §1.56. The references were first cited in a communication from a foreign patent office (in this case, an International Search Report issued by the European Patent Office for the companion PCT/BE2003/000160 filed claiming priority from the present application issued June 2, 2004) not more than three months prior to the filing of the Information Disclosure Statement, and thus pursuant to Rule 1.97(e), no additional fee is due in connection herewith.

Applicants note that two of the cited references are in a foreign language. Pursuant to Rule 1.98(a)(3), applicants provide the following concise statements as to the relevance of DE 198 19 856A1 and EP 367 934, both published in German.

DE 198 19 856 relates to an insecticidal agent comprising a hydrophobe silicon dioxide as an active agent, an attracting agent, possibly additives, a hydrophobe solvent, and water.

EP 367 934 relates to an insecticide comprising pyrogen hydrophobe silicon dioxide, said insecticide being a water dispersion or a powder. No reference is made in this reference to structure modified hydrophobe silicon dioxide. A copy of U.S. Patent No. 5,122,518 of the same patent family is also submitted herewith.

Any additional fee due in connection with this should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP

By

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Attorney Docket No. 33154-CIP1

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
33154-CIP1

In Re Application Of:

De Sloovere, Xavier, et al. *AUG 23 2004*

Serial No.

10/613,956

Filing Date

JULY 3, 2003

Examiner

Group Art Unit

Title:

COMPOSITION FOR COMBATING INSECTS AND PARASITES

Address to:

Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

37 CFR 1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:
 1. a Final Action under 37 CFR 1.113, or
 2. a Notice of Allowance under 37 CFR 1.311,whichever occurs first.

Also submitted herewith is:

a certification as specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
33154-CIP1

In Re Application Of:

De Sloovere, Xavier, et al.

AUG 23 2004

Serial No.

10/613,956

Filing Date

JULY 3, 2003

Examiner

Group Art Unit

Title:

COMPOSITION FOR COMBATING INSECTS AND PARASITES

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 190522 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of _____

Credit any overpayment.

Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) on _____
(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

*This certificate may only be used if paying by deposit account.

Signature

Dated: AUG 23, 2004

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:) Examiner:
De SLOOVERE, Xavier, et al.) Group Art Unit:
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Serial No.:10/613,956)
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Filed: July 3, 2003)
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)
Title: COMPOSITION FOR COMBATING)
INSECTS AND PARASITES)

TRANSMITTAL

Transmitted herewith is/are: Transmittal of Information Disclosure Statement (2 pgs); Information Disclosure Statement (Form PTO-1449) (1 pg); ONE (1) U.S. Patent, SIX (6) Foreign Patents, and ONE (1) Copy of Publication No. WO 2004/028250 with International Search Report attached as references (140 pgs); and return postcard. This/These document(s) is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 23, 2004.

EV 343764689 US

Respectfully submitted,

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ATTORNEYS FOR APPLICANT

(Docket No. 33154-CIP1)



FORM PTO-1449 (Rev. 2-22-02)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 33154-CIP1	SERIAL NO. 10/613,956
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT: DE SLOOVERE, Xavier, et al.	
(Use several sheets if necessary)		FILING DATE: July 3, 2003	GROUP:

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		1,133,210	11/13/1968	GB				
		DE 198 19 856 A1	5/4/1998	DE				x
		EP 0 367 934	09/04/1989	EPO				x
		WO 01/35744 A1	05/25/2001	PCT				
		WO 02/061027 A1	09/08/2002	PCT				
		WO 94/09626	05/11/1994	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

p. 1 of Publication WO 2004/028250 A3 corresponding to PCT BE 2003/000160 with International Search Report Attached

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.